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UNITED STATES DISTRICT COURT  
 DISTRICT OF NEVADA

UNITED STATES OF AMERICA,	)	
	)	CASE NO. 2:22-CR-00126-JCM-BNW
Plaintiff,	)	
	)	<b>STIPULATION TO CONTINUE</b>
vs.	)	<b>SENTENCING HEARING</b>
	)	
CLYDE EDWARD AUSTIN,	)	<b>(Second Request)</b>
	)	
Defendant.	)	

IT IS HEREBY STIPULATED AND AGREED, between the United States of America, by and through its attorney, JASON M. FRIERSON, United States Attorney, through DANIEL R. SCHIESS, Assistant United States Attorney; and Defendant CLYDE EDWARD AUSTIN, by and through his counsel, SUNETHRA MURALIDHARA, ESQUIRE, Wright Marsh & Levy, that the sentencing hearing currently scheduled for January 30, 2023, at 10:00 a.m. be vacated and set to a date and time convenient to this Court, but no sooner than forty-five (45) days from the current sentencing date.

This stipulation is entered into for the following reasons:

1. The Defendant needs additional time to prepare for the sentencing hearing.
2. The parties agree to the continuance. Mr. Austin is on pretrial release and agrees to this requested continuance. While a 45-day continuance is requested, the parties further request this hearing be set prior to March 31, 2023, if that is also amenable to the Court as defense counsel has a trial currently set for early April that is expected to last 4-6 weeks. Further, government counsel is unavailable March 13, 2023 through March 16, 2023.

1       3.       Additionally, denial of this request for continuance could result in a miscarriage of  
2 justice.

3       4.       The additional time requested by this Stipulation is made in good faith and not for  
4 purposes of delay.

5       5.       This is the second request for a continuance of the sentencing hearing.

6       Dated this 17th day of January, 2023.

7 Respectfully submitted:

8 WRIGHT MARSH & LEVY

JASON M. FRIERSON  
United States Attorney

9 By /s/ Sunethra Muralidhara  
10 SUNETHRA MURALIDHARA, ESQUIRE  
11 Attorney for Defendant Austin

By /s/ Daniel Schiess  
DANIEL SCHIESS  
Assistant United States Attorney

UNITED STATES DISTRICT COURT  
THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,  
Plaintiff,  
vs.  
CLYDE EDWARD AUSTIN,  
Defendant.

CASE NO. 2:22-CR-00126-JCM-BNW  
**ORDER**

Based on the Stipulation of the parties, the sentencing hearing in this matter is hereby continued. The ends of justice served by granting said continuance outweigh the best interest of the public and the defendant in a speedy sentencing, since the failure to grant said continuance would be likely to result in a miscarriage of justice, and would deny the parties herein sufficient time and the opportunity within which to be able to effectively and thoroughly prepare for sentencing, taking into account the exercise of due diligence.

IS IT HEREBY ORDERED that the sentencing in the above-captioned matter currently scheduled for January 30, 2023, at 10:00 a.m., be vacated and continued to **March 17, 2023 at 10:30 a.m.**

Dated: January 18, 2023.

  
JAMES C. MAHAN  
UNITED STATES DISTRICT JUDGE